Commission on the Limits of the Continental Shelf

Distr.: General
27 April 2007

Original: English

Nineteenth session
New York, 5 March-13 April 2007

Statement by the Chairman of the Commission on the Limits of the Continental Shelf on the progress of work in the Commission

1. The Commission on the Limits of the Continental Shelf held its nineteenth session at United Nations Headquarters from 5 March to 13 April 2007, pursuant to the decision taken at its eighteenth session (CLCS/52, para. 53) and to paragraph 45 of General Assembly resolution 61/222. The plenary part of the session was held from 26 March to 5 April, while the periods from 5 to 23 March and 9 to 13 April were used for the technical examination of submissions at the Geographic Information System (GIS) laboratories and other technical facilities of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs.

2. The following 19 members of the Commission attended the session: Alexandre Tagore Medeiros de Albuquerque, Osvaldo Pedro Astiz, Lawrence Folajimi Awosika, Harald Brekke, Galo Carrera Hurtado, Peter F. Croker, Indurlall Fagoonee, Noel Newton St. Claver Francis, Mihai Silviu German, Abu Bakar Jaafar, Mladen Juračić, Yuri Borisovitch Kazmin, Wenzheng Lu, Yong-Ahn Park, Fernando Manuel Maia Pimentel, Philip Alexander Symonds, Kensaku Tamaki, Naresh Kumar Thakur and Yao Ubuènalè Woeledji.

3. Hilal Mohamed Sultan Al-Azri and Samuel Sona Betah did not attend the session.

4. The Commission had before it the following documents and communications:

(a) Provisional agenda (CLCS/L.22);

(b) Statement by the Chairman of the Commission on the progress of work at its eighteenth session (CLCS/52);

(c) Letter dated 19 May 2006 from the Chairman of the Commission addressed to the President of the sixteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea (SPLOS/140);

(d) Decision on issues related to the proposals by the Commission (SPLOS/144);

(e) Report of the sixteenth Meeting of States Parties (SPLOS/148);

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(f) Submission of Brazil dated 17 May 2004 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General of the United Nations to the Commission and addendum to the executive summary of the submission, including all charts and coordinates contained therein, transmitted to the Commission through the Secretary-General on 1 March 2006;

(g) Submission of Australia dated 15 November 2004 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General to the Commission;

(h) Submission of Ireland dated 25 May 2005 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General to the Commission;

(i) Submission of New Zealand dated 19 April 2006 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General to the Commission;

(j) Joint submission of France, Ireland, Spain and the United Kingdom of Great Britain and Northern Ireland dated 19 May 2006 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General to the Commission;

(k) Submission of Norway dated 27 November 2006 made pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea and addressed through the Secretary-General to the Commission;

(l) Note verbale from the Permanent Mission of the Netherlands to the United Nations dated 19 December 2006 in relation to the submission made by New Zealand to the Commission;

(m) Notes verbales from the Permanent Mission of Brazil to the United Nations dated 27 December 2006 and 6 February 2007 concerning the submission made by Brazil to the Commission;

(n) Notes verbales from the Permanent Mission of Denmark to the United Nations dated 24 January 2007, the Permanent Mission of Norway to the United Nations dated 26 January 2007 and 28 March 2007, the Permanent Mission of Iceland to the United Nations dated 29 January 2007, the Permanent Mission of the Russian Federation to the United Nations dated 21 February 2007 and the Permanent Mission of Spain to the United Nations dated 3 March 2007 in relation to the submission made by Norway to the Commission.

Item 1
Opening of the nineteenth session by the Chairman of the Commission

5. Peter F. Croker, Chairman of the Commission, opened the session and invited the Commission to observe a minute of silence in tribute to the memory of Oleksiy Zinchenko, Secretary of the Commission, who passed away on 17 March 2007.

Statement by the Legal Counsel

6. Nicolas Michel, Under-Secretary-General for Legal Affairs, the Legal Counsel, opened his statement recalling the untimely demise of Oleksiy Zinchenko and his fundamental contribution to the work of the Commission as its Secretary from its inception. He expressed gratitude to Vladimir Golitsyn, former Director, for his contribution to the work of the Division and for the support provided to the Commission. The Legal Counsel then introduced Václav Mikulka, Director of the Division since 1 March 2007. He also informed the Commission of the appointment of Hariharan Pakshi Rajan as Secretary of the Commission.

7. The Legal Counsel noted that the workload of the Commission continued to increase, as evidenced by the fact that at the current session the Commission would begin the examination of a new submission, that of Norway, as well as the consideration of the recommendations in regard to the submissions made by Brazil, Australia and Ireland prepared by the respective Subcommissions. He emphasized that, as the number of submissions to the Commission steadily grows, both submitting States and the international community at large are looking forward to the delineation of the outer limits of continental shelves on the basis of the recommendations. This process, he noted, was a major step towards ensuring world peace and order, as well as the efficient and orderly exploration and exploitation of the resources of the seabed.

8. The Legal Counsel remarked that the drafters of the United Nations Convention on the Law of the Sea could not foresee the pace at which the scientific understanding of the seabed would advance or the complexities it would reveal. For this reason, when drafting the provisions of part VI of and annex II to the Convention, they could not have anticipated the scale of the workload and consequent time pressure faced by the Commission. He noted that the growing workload of the Commission and the increasing demands on its members, as well as the technical support required for the efficient discharge of its functions, had been a subject of major concern at the sixteenth Meeting of States Parties, held in June 2006, and at the sixty-first session of the General Assembly. He stressed that, at its last session, the Commission had noted that a number of the options proposed by the Meeting of States Parties had already been discussed within the Commission, and that some of them had been implemented. Finally, he invited the Commission to carefully consider and provide its views on a draft information note on issues related to the workload of the Commission, prepared by the secretariat for submission to the seventeenth Meeting of States Parties, in June 2007.

Item 2
Adoption of the agenda

9. The Chairman proposed the provisional agenda (CLCS/L.22) for consideration by the Commission. The provisional agenda was adopted without amendment (CLCS/53).

Item 3
Organization of work

10. The Chairman outlined the programme of work and the schedule for the Commission's deliberations on the various items of the agenda. He noted that, in respect of the recommendations of the Subcommissions established for the consideration of the submissions made by Brazil, Australia and Ireland, considerable time would have to be allowed for the review of those recommendations by all the members of the Commission, as well as the review of data in the GIS labs. The Commission agreed on the programme of work as proposed.

Item 4
Consideration of the submission made by Brazil to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

Report of the Chairman of the Subcommission regarding the progress of work prior to and during the nineteenth session

11. Galo Carrera, Chairman of the Subcommission, reported that, following intersessional work and intensive work during the nineteenth session, from 19 to 23 March, the Subcommission had concluded its consideration of the submission made by Brazil and had prepared draft recommendations.

12. Mr. Carrera also recalled two communications from Brazil, namely, a note verbale dated 27 December 2006 requesting a half-day meeting between the Commission and the Brazilian delegation and a note verbale dated 6 February 2007 regarding consistent methodology and approaches as well as common criteria in relation to technical issues of a general nature for which neither the Convention nor the Scientific and Technical Guidelines provide any specific guidance.

13. One member raised the issue related to the second note verbale addressed to the Commission by the Brazilian Government. Two members took the opportunity to emphasize the issue of consistency referred to in that note verbale. A fourth member stated that the Commission had been dealing with the issue of consistency since the very beginning of its work, during the preparation of the Scientific and Technical Guidelines, and therefore the Commission could not pursue this matter any further.

Consideration of recommendations

14. On 27 March 2007 the Subcommission submitted the recommendations it had prepared to the Commission and introduced them by delivering a series of presentations focusing on the four geographical regions:

(a) Northern and Amazonas fan region — presentation by Mladen Juračić;

(b) Northern Brazilian and Fernando de Noronha ridges — presentation by Galo Carrera;

(c) Vitória-Trindade ridge — presentation by Larry Awosika;

(d) São Paulo plateau and southern regions — presentation by Philip Symonds.

15. At the request of the delegation of Brazil, a meeting between the delegation and the Commission took place on 27 March 2007. The Chairman pointed out that the meeting was in accordance with the amended rules of procedure,[1] which provide that after the Subcommission presents its recommendations to the Commission, and before the Commission considers and adopts the recommendations, the coastal State may give a presentation on any matter related to its submission to the plenary of the Commission, if it so chooses. Further, as provided for in the amended rules, the coastal State may be allowed up to half a day for the presentation. The rules also provide that the coastal State and the Commission shall not engage in discussion on the submission or its recommendations at the meeting. An introductory statement was made by the head of the Brazilian delegation, Ronaldo Mota Sardenberg, Permanent Representative of Brazil to the United Nations.

16. In his statement, Ambassador Sardenberg recalled that the meeting was requested by Brazil under the provisions of paragraph 41 of CLCS/52 and was intended to highlight aspects of the Brazilian submission that may be of particular interest to the Commission as it begins its consideration of the recommendations prepared by the Subcommission. Emphasizing the approach of the Brazilian Government to the issue of the establishment of the outer limits of the Brazilian continental shelf, Ambassador Sardenberg stated that, when working on the establishment of the outer limits of its continental shelf, Brazil followed strictly the criteria set out in article 76 of the Convention, as well as other scientific and technical principles and requirements supported at the international level, and also, since 1999, the Scientific and Technical Guidelines adopted by the Commission. Thorough studies carried out by the Brazilian Navy and its Hydrographic Service, by the Brazilian international energy company Petrobras and by the Brazilian scientific community were conducted in good faith and supported by the best up-to-date scientific data.

17. Referring to the interaction between the Subcommission and the successive Brazilian delegations, Ambassador Sardenberg pointed out that all efforts had been made by the delegations to provide the necessary data and information to support the delineation of the outer limits of the Brazilian continental shelf. He emphasized that there are no maritime boundary disputes with the adjacent coastal States: France (French Guyana) and Uruguay.

18. He also recalled that in 2006 additional information and data had been provided by Brazil to the Commission and to the Subcommission, including an addendum to the executive summary. He stated that the alteration of certain aspects of the Brazilian submission were made taking into account suggestions by the Subcommission and that those alterations had led to an increase of only 5.5 per cent in the total area of the extended continental shelf.

19. He then welcomed the decision by the Commission at the eighteenth session to address technical issues of a general nature, for which neither the Convention nor the Scientific and Technical Guidelines provide any specific guidance (see CLCS/52, para. 50). He stated that, while recognizing the difficulties involved, common criteria, methodology and approaches ought to be established in order to uphold and safeguard the Commission's recommendations. He underscored the possible relevance of such criteria for recommendations to be made by the

[1] See CLCS/52, para. 41.

Commission regarding the Brazilian submission and recalled that the lack thereof had led the Government of Brazil to request the Commission to identify consistent methodology and approaches. Even though the request was not intended to interfere with the Commission's programme of work, he expressed the expectation of the Government of Brazil that the Commission would duly address it.

20. He concluded by reiterating the consistency and validity of all data and information collected by Brazilian teams as well as the analysis and interpretation provided in the submission, noting that Brazil always acted on the basis of the strictest scientific norms in order to provide reliable, science-based and up-to-date data to the Commission. He also recalled the level of cooperation between the Subcommission and the delegation of Brazil.

21. Following the introductory statement, members of the Brazilian technical team made presentations on certain aspects of the submission of Brazil in four specific regions:

(a) The Amazon deep-sea fan region — presentation by Marcus Gorini;

(b) The eastern Brazilian equatorial region — presentation by Jorge Palma;

(c) The Vitória-Trindade ridge — presentation by Jairo Souza;

(d) The São Paulo plateau region and the southern Brazilian margin — presentation by Izabel King Jeck.

22. The Commission then proceeded to the consideration of the recommendations prepared by the Subcommission. After a very thorough examination of the recommendations and of relevant parts of the submission, several amendments were proposed, and the Commission decided to incorporate some of them into the text of the recommendations. Thereafter, the Commission adopted the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by Brazil on 17 May 2004 on information on the proposed outer limits of its continental shelf beyond 200 nautical miles" by a vote of 15 to 2, with no abstentions.

Item 5
Consideration of the submission made by Australia to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

Report of the Chairman of the Subcommission regarding the progress of work prior to and during the nineteenth session

23. Alexandre Tagore Medeiros de Albuquerque, Vice-Chairman of the Subcommission, reported that in the course of the nineteenth session the Subcommission had made considerable progress in its work. He indicated that the Subcommission had met twice with the delegation of Australia. During the first meeting, the delegation made an extensive presentation of further comments by Australia on the Subcommission's preliminary considerations. At the second meeting Australia made a comprehensive presentation of its views and general conclusions. Following that presentation the Subcommission concluded its

consideration of the submission made by Australia and prepared the recommendations.

Consideration of recommendations

24. On 28 March 2007 the Subcommission submitted the recommendations it had prepared to the Commission, and Harald Brekke, Chairman of the Subcommission, introduced them by delivering a series of presentations focusing on the nine regions into which the submission is divided.

25. At the request of the delegation of Australia, a meeting between the delegation and the Commission took place on 28 March 2007. The Chairman pointed out that the meeting was in accordance with the amended rules of procedure, which provide that after the Subcommission presents its recommendations to the Commission, and before the Commission considers and adopts the recommendations, the coastal State may give a presentation on any matter related to its submission to the plenary of the Commission, if it so chooses. Further, as provided for in the amended rules, the coastal State may be allowed up to half a day for the presentation. The rules also provide that the coastal State and the Commission shall not engage in discussion on the submission or its recommendations at the meeting. An introductory statement was made by Robert Hill, Permanent Representative of Australia to the United Nations.

26. Following the introductory statement, the presentation by Australia was made by the head of the delegation of Australia, Bill Campbell, who focused on non-scientific elements, and by Mark Alcock with regard to certain scientific elements of relevance to some of the regions covered in the submission.

27. In opening his part of the presentation, Mr. Campbell focused on some general principles that, in the view of his delegation, should be applied in the consideration of the Australian submission. In particular, he expressed the view that, in making its recommendations, the Commission should be guided solely by the legal principles enshrined in article 76 of the Convention. Mr. Campbell then outlined, region by region, the outer limits proposed by Australia, the position of the Subcommission in that regard and a description of the interactions on those subjects between the Subcommission and the delegation. He placed particular emphasis on maritime delimitation; the criteria used to connect points beyond 200 nautical miles to the 200-M line and the interpretation and application of paragraph 6 of article 76.

28. With regard to maritime delimitation, he reiterated the view that the recommendations of the Commission are without prejudice to any treaties. In this connection, reference was made to the delimitation treaties concluded by Australia with neighbouring countries.

29. Mr. Campbell also addressed the interpretation and application of article 76, paragraph 6, in the context of the concept of geological continuity.

30. In closing his part of the presentation, Mr. Campbell indicated that if the Commission were to conclude that the scientific and technical data did not support the proposed outer limits, Australia wished to be informed of the detailed reasons for such a conclusion.

31. The presentation of Mr. Alcock focused on a number of geoscientific issues in certain regions related to the application of article 76, paragraph 6, which arose during the interaction between the delegation and the Subcommission.

32. In concluding the presentation by the Australian delegation, Mr. Campbell requested that, should the Commission decide to amend the substance of the recommendations prepared by the Subcommission in a manner that would have an adverse impact on Australia's interests, Australia be given the opportunity to comment on the proposed changes. After emphasizing that a timely decision by the Commission was of vital importance to Australia, Mr. Campbell expressed gratitude for the hard work and dedication that the Subcommission demonstrated in considering Australia's submission.

33. The Commission then proceeded to the consideration of the recommendations prepared by the Subcommission. After a very thorough and lengthy discussion of the recommendations, it was decided that their adoption would be deferred to the twentieth session of the Commission, in order to provide its members with further time to examine them.

Item 6
Consideration of the submission made by Ireland to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

34. Yong-Ahn Park, Vice-Chairman, chaired the meetings of the Commission during the consideration of this item.

35. Abu Bakar Jaafar, Chairman of the Subcommission established to examine the submission made by Ireland, recalled that the Subcommission had prepared the recommendations and submitted them to the Commission at the eighteenth session. He also recalled that at that session, after his presentation of the recommendations to the plenary, the Commission had decided to defer further consideration of the recommendations to the nineteenth session in order to allow all members of the Commission to study both the submission and the analysis made by the Subcommission in more detail. During the intersessional period the Secretariat made all the supporting material available to all members of the Commission through the established and secure means of communication.

36. One member of the Commission requested that the examination of the recommendations be deferred to the twentieth session. After exhausting all efforts to achieve consensus on this matter the Commission decided to vote on the adoption of the recommendations.

37. The Commission adopted the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the partial submission made by Ireland on 25 May 2005 on the proposed outer limit of its continental shelf beyond 200 nautical miles in the area abutting the Porcupine Abyssal Plain" by a vote of 14 to 2, with 2 abstentions.

Item 7
Consideration of the submission made by New Zealand to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

Report of the Chairman of the Subcommission regarding the progress of work prior to and during the nineteenth session

38. Mr. Tamaki, Vice-Chairman, informed the Commission that the Subcommission had met from 13 to 17 November 2006 and had subsequently conveyed written questions and preliminary considerations regarding the submission made by New Zealand in relation to the eastern and southern regions. Prior to the nineteenth session the Subcommission had received a comprehensive response to its preliminary considerations and questions. The Subcommission had also met from 19 to 23 March 2007 to work on the submission and the new material. Later, Mr. Brekke, Chairman, reported that the Subcommission had also met to continue its work in the week from 9 to 13 April, after the plenary part of the session, and had held a number of meetings with the delegation of New Zealand. During those meetings New Zealand made presentations in response to the questions posed earlier by the Subcommission. The Subcommission also presented its preliminary considerations on matters relating to the western region and outstanding matters relating to the eastern and southern regions. The working session of the Subcommission ended on 13 April 2007, and the Subcommission members decided to work individually and communicate through the secure Internet channel in order to make further progress in their work until the end of the term of office of the present members of the Commission.

Item 8
Consideration of the joint submission made by France, Ireland, Spain and the United Kingdom of Great Britain and Northern Ireland to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

Report of the Chairman of the Subcommission regarding the progress of work prior to and during the nineteenth session

39. Abu Bakar Jaafar, Chairman of the Subcommission established to examine the submission made by France, Ireland, Spain and the United Kingdom of Great Britain and Northern Ireland, reported on the work carried out during the intersessional period and on the plan of work for the nineteenth session.

40. He informed the Commission that the Subcommission had held a resumed eighteenth session from 22 January to 2 February 2007, during which it held four meetings with the delegations of the four States. He also indicated that at the present session, on 14 March 2007, the Subcommission had made a comprehensive presentation to the four delegations of its views and general conclusions arising from the examination of the submission. The delegations responded to the presentation with another presentation expressing their initial reaction to the Subcommission's views and conclusions. Subsequently, the delegations submitted additional material on 23 March 2007, as requested by the Subcommission. The

Chairman concluded his report by indicating that the Subcommission would examine the additional material and that thereafter a drafting group would work on the finalization of the recommendations prepared by the Subcommission.

Item 9
Consideration of the submission made by Norway to the Commission pursuant to article 76, paragraph 8, of the 1982 United Nations Convention on the Law of the Sea

41. The presentation on the submission of Norway was made on 2 April 2007 by Rolf Einar Fife, Director General, Legal Affairs Department, Ministry of Foreign Affairs of Norway. In addition to Mr. Fife and Mr. Johan L. Løvald, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Norway to the United Nations, the delegation of Norway included several legal advisers and scientific and technical advisers.

42. In addition to elaborating on substantive points of the submission, Mr. Fife indicated that Harald Brekke, member of the Commission, had assisted Norway by providing scientific and technical advice with respect to the submission.

43. Regarding neighbouring States, Mr. Fife said that the Norwegian team had worked in close contact with peer institutions in the neighbouring States — the Russian Federation, Denmark together with the Faroe Islands and Greenland, and Iceland. Their cooperation involved sharing of data, joint venture data-acquisition projects and data processing and analysis. Data and information were also acquired through cooperation with international scientific research institutions, in particular from Germany, the Russian Federation, Sweden and the United States of America. That cooperation included participation in major Arctic research projects such as the Scientific Ice Expedition (SCICEX), the International Bathymetric Chart of the Arctic Ocean (IBCAO), Arctic Ocean 2001 and Beringia 2005.

44. In respect of disputes related to the submission, Mr. Fife stated that some unresolved questions remained with regard to bilateral delimitation of the continental shelf with neighbouring States and that those questions ought to be considered by reference to rule 46 of and annex I to the rules of procedure of the Commission. The States in question are Denmark (in respect of both the Faroe Islands and Greenland), Iceland and the Russian Federation. Mr. Fife then commented on notes verbales from other States regarding the executive summary of the submission of Norway. In this connection, he pointed out that the Government of the Russian Federation had, in a note verbale of 21 February 2007 addressed to the Secretary-General of the United Nations, made it clear that it had no objection to the Commission considering and making recommendations with regard to the area under dispute without prejudice to any future delimitation. He further stated that Iceland and Denmark/the Faroe Islands were expected to provide information on the continental shelf extending beyond 200 nautical miles in the southern part of one of the areas covered by the Norwegian submission, the so-called Banana Hole, and that those two States and Norway would have overlapping shelf title in that area. In this connection Mr. Fife noted that, in a note verbale dated 24 January 2007 addressed to the Secretary-General of the United Nations, the Danish Government together with the Government of the Faroe Islands had confirmed that they did not object to Norway's request that the Commission consider the documentation relating to the

southern part of the Banana Hole and make recommendations on that basis. In addition, in a note verbale dated 29 January 2007, Iceland notified the Secretary-General of the United Nations that it did not object to the Commission considering the documentation submitted by Norway concerning the Banana Hole and making recommendations on that basis.

45. Mr. Fife also stated the position of Norway with regard to the note verbale from Spain dated 3 March 2007.[2]

46. Following the presentation, Mr. Fife and other members of the delegation of Norway responded to questions posed by the members of the Commission. Among other responses, they stated that the data and information contained in the submission by Norway were not subject to any confidentiality provisions.

47. The Commission then continued its meeting in private. Addressing the modalities for the consideration of the submission, the Commission decided that, as provided for in article 5 of annex II to the Convention and in rule 42 of the rules of procedure of the Commission (CLCS/40), the submission of Norway would be addressed through the establishment of a subcommission.

48. The Commission then proceeded to establish a subcommission to examine the submission of Norway in accordance with the established procedure (see CLCS/42). The Subcommission is composed of the following members: Lawrence Folajimi Awosika, Peter F. Croker, Noel Newton St. Claver Francis, Mihai Silviu German, Abu Bakar Jaafar, Yong-Ahn Park and Philip Alexander Symonds.

49. The Commission requested the Subcommission thus established to meet with a view to organizing its work, electing its officers and providing, on the basis of a preliminary examination of the submission, a time estimate for its work.

50. The Subcommission met and elected Mr. Symonds its Chairman and Mr. Awosika and Mr. Park Vice-Chairmen. The Subcommission decided to convene and start its work during the last week of the nineteenth session, from 9 to 13 April 2007.

51. Mr. Symonds, the Chairman of the Subcommission, later reported that the Subcommission had met in the premises of the Division during the week of 9 to 13 April to conduct its preliminary analysis of the data and other materials contained in the submission. On the basis of that analysis, the Chairman reported that the Subcommission would need to continue its work during the twentieth session, but that the exact dates for this could not be confirmed until after the election of the new Commission, in June 2007. The Subcommission had also requested the assistance of Mr. Albuquerque as an expert in hydrography.

52. During the nineteenth session, the Subcommission held six meetings between its establishment on 4 April 2007 and the end of the session on 13 April 2007. It met with the delegation of Norway on three occasions from 9 to 13 April 2007, during which it was given a number of presentations by the Norwegian delegation, requested clarifications on several points and posed questions in writing. The Norwegian delegation provided written responses to some of the questions, and it

[2] Both the note verbale from Spain and the response from Norway, dated 28 March 2007, are available on the website of the Commission, maintained by the Division (http://www.un.org/Depts/los/clcs_new/submissions_files/submission_nor.htm).

was agreed that the delegation would provide responses to the remaining ones during the intersessional period.

53. On 11 and 12 April 2007, members of the Subcommission received training arranged by Norway in the use of the Geocap application, which was utilized by Norway for its submission. The training also allowed familiarization with aspects of the data, information and analytical techniques contained in the Norwegian submission.

54. The members of the Subcommission decided to continue to work individually on the submission during the intersessional period up until the election of the new Commission in June 2007.

Item 10
Consideration of the decision of the sixteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea on issues related to the proposals of the Commission

55. In accordance with its decision taken at the eighteenth session (CLCS/52, paras. 38-39), the Commission continued its discussion of matters related to the workload of the Commission, taking into account the decision of the sixteenth Meeting of States Parties (SPLOS/144, para. 4).

56. It was agreed that the conclusion of the discussion would be reflected in the statement of the Chairman, as well as in his letter to the President of the seventeenth Meeting of States Parties, to be held on 14 June and from 18 to 22 June 2007.

57. In view of the importance of this issue for the successful performance of its functions, the Commission decided that the Chairman would also prepare a presentation under item 12 (e) of the provisional agenda of the seventeenth Meeting of States Parties to UNCLOS (SPLOS/L.50), in which the Commission would address the matter of the workload as well as certain proposals made at the sixteenth Meeting of States Parties. The presentation will then be made by the Chairman of the Commission during the seventeenth Meeting of States Parties.

58. The Commission also decided to reiterate to the Meeting of States Parties its proposal that the members of the Commission receive emoluments and expenses while performing Commission duties concerning the consideration of submissions made by coastal States on the outer limits of the continental shelf under article 76, and that such emoluments and expenses be defrayed through the regular budget of the United Nations. That proposal was contained in the "Draft decision for consideration by the sixteenth Meeting of States Parties" (SPLOS/140, annex). The Commission decided that the Chairman would reintroduce this proposal in his letter to the President of the seventeenth Meeting of States Parties and reflect it in his presentation made at that Meeting. It also requested the Secretariat to provide the necessary information on the programme budget implications of such a decision.

Item 11
Report of the Chairman of the Editorial Committee

59. As decided by the Commission at its eighteenth session (see CLCS/52, para. 42), elections were held at the nineteenth session to elect two Vice-Chairmen of the Editorial Committee; Mr. Park and Mr. Thakur were elected. A working group composed of Indurlall Fagoonee, the Chairman and the two Vice-Chairmen of the Editorial Committee was appointed with a mandate to prepare an updated text of the current rules of procedure of the Commission (CLCS/40), which would incorporate the amendments adopted by the Commission during its previous three sessions. The working group submitted a draft revision of CLCS/40 and, following a discussion on this subject, the Commission decided to defer the examination of that document to its twentieth session.

Item 12
Report of the Chairman of the Scientific and Technical Advice Committee

60. The Chairman of the Scientific and Technical Advice Committee, Mr. Symonds, stated that the Committee had not received any requests for scientific and technical advice since the eighteenth session.

61. The Commission once again wished to draw attention to the fact that, even though many States were involved in the process of preparing a submission to the Commission, no request for scientific and technical advice had been received by the Committee from any State. The Commission renewed its willingness to assist States in that regard and encouraged them to make an official request for such assistance, if needed.

Item 13
Report of the Chairman of the Training Committee

62. During the nineteenth session, the Training Committee did not hold any meetings. However, in the course of the discussion of this agenda item, the Director of the Division for Ocean Affairs and the Law of the Sea was invited to update the Commission on the capacity-building activities carried out by the Division with regard to the delineation of the outer limits of the continental shelf. The Director informed the Commission on the outcome of the fifth training course, on the preparation of a submission to the Commission regarding the outer limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. The course was conducted in Bandar Seri Begawan from 12 to 16 February 2007 and was organized by the Division, in collaboration with the Government of Brunei Darussalam and with the support of the Global Resource Information Database (GRID)-Arendal and the Federal Institute for Geosciences and Natural Resources of Germany.

63. While the first four training courses, held in Fiji, Sri Lanka, Ghana and Argentina, had a regional scope, the course in Brunei Darussalam had a subregional scope: 28 technical and administrative staff from Brunei Darussalam, China, Indonesia, Malaysia, the Philippines and Viet Nam participated in it. The Director

expressed his gratitude to Galo Carrera and Abu Bakar Jaafar (current members of the Commission), Karl Hinz (former member of the Commission) and Robert Sandev and Luigi Santosuosso (experts from the Division) for their contribution to the course as instructors and experts. The Director also expressed the gratitude of the Division to the Government of Brunei Darussalam for the dependable and timely support provided, as well as to the other partners in the organization of the course.

64. During the consideration of this agenda item, the Commission also took note of a training course and follow-up workshop that had been held in Antananarivo from 26 February to 7 March 2007. The course and the workshop were organized by GRID-Arendal, in collaboration with the Government of Madagascar and with the participation of the Division. Harald Brekke (member of the Commission) and Vladimir Jares (expert from the Division) participated in the training course as instructors and experts.

Item 14
Other matters

Other meetings/conferences of interest

65. The members of the Commission exchanged information on meetings and conferences of interest taking place in the remainder of 2007 and in 2008.

Future sessions of the Commission

66. In view of the forthcoming election of members of the Commission and the need to elect new officers of the Commission at the twentieth session, the Commission decided that the twentieth session would be held from 27 August to 14 September 2007, on the understanding that, following the first week with full conference services, the rest of the session would take place in the premises of the Division for Ocean Affairs and the Law of the Sea.

Information note prepared by the secretariat in response to a request by the sixteenth Meeting of States Parties to provide relevant facts and details on the workload of the Commission

67. Mr. Mikulka, Director of the Division, recalled that the "Decision on issues related to the proposals by the Commission on the Limits of the Continental Shelf" (SPLOS/144) taken by the sixteenth Meeting of States Parties to the Convention contained a request addressed to the secretariat to prepare, based on the discussions at the sixteenth Meeting of States Parties and in due time before the next Meeting, an information note providing relevant details or facts on all proposals that had been made. He then introduced an informal paper containing elements for an information note by the secretariat concerning the issues related to the workload of the Commission. That paper was being submitted to the members of the Commission for their information and feedback, as appropriate.

68. The members of the Commission expressed their appreciation for the work done by the Secretariat in this regard and for the information contained in the document and provided their feedback and suggestions.

Election of Chairman of the Commission

69. In connection with the election of the officers of the Commission at the forthcoming twentieth session, the Commission decided that, in the election of the Chairman of the Commission, regard should be given to the equitable geographical rotation of that office among the five regions. In doing so, the Commission should also take into account that members nominated by Eastern European States and by Western European or other States have already been elected to that office.

Trust fund

70. The Director of the Division reported on the status of the trust fund established by the General Assembly in its resolution 55/7 for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission. As at the end of February 2007, the fund balance was approximately $145,000. That figure includes the contribution of $30,000 by New Zealand in December 2006 and the contribution of $100,000 by Iceland in January 2007. Additionally, in March 2007, China contributed $20,000, Japan $205,000 and the United Kingdom of Great Britain and Northern Ireland £50,000. Last year Ireland pledged the sum of €150,000, to be paid in three annual instalments of €50,000. The first instalment was credited to the trust fund in 2006, and a second instalment of €50,000 was made in March 2007.

71. At its nineteenth session, three members of the Commission received assistance from the trust fund at a cost to the Trust Fund of approximately $35,000 (including performance support costs). The fund balance of approximately $145,000 takes into account the costs of the nineteenth session.

72. Assistance from the trust fund is provided for travel expenses and daily subsistence allowance, and in this regard, the Director informed the Commission that the daily subsistence allowance for New York had increased from $275 to $347 for the first 30 days. The Commission welcomed the increase in contributions to the trust fund, as well as the increase in the amount of daily subsistence allowance.

Conclusion

73. The Commission renewed its expressions of appreciation to the staff of the Division for Ocean Affairs and the Law of the Sea, as well as to the interpreters, translators and other staff, for the assistance and services provided during its current session. The Commission noted the appointments of Hariharan Pakshi Rajan as Secretary of the Commission and Vladimir Jares as Deputy Secretary.

74. The Commission reiterated the sentiments of the Legal Counsel regarding the passing away of Oleksiy Zinchenko, former Secretary of the Commission, underscoring his valuable contribution to the support provided by the secretariat to the work of the Commission since its inception. The Commission also expressed deepest sympathy to the family of Mr. Zinchenko.